United Nations S/2005/402

Security Council

Distr.: General
21 June 2005

Original: English

Draft resolution

The Security Council,

Reaffirming resolutions 1542 (2004) and 1576 (2004), and recalling resolution 1529 (2004), relevant statements by its President, as well as the Security Council's report on its Mission to Haiti from 13 to 16 April 2005 (S/2005/302),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Stressing that free and fair elections, open to all political parties that have renounced violence and with the broadest possible participation of the Haitian people, must take place in 2005 in accordance with the established timetable, and that the democratically elected authorities must take office on 7 February 2006,

Affirming its determination to ensure a secure and stable environment in which the electoral process can take place,

Condemning all violations of human rights, including lack of due process and prolonged pretrial detentions, and *urging* the Transitional Government of Haiti to take all necessary measures to put an end to impunity and to ensure progress in the respect for the rule of law, including by pursuing reforms in the Haitian National Police (HNP) and in the justice and correctional systems,

Reaffirming the importance of appropriate expertise on issues relating to gender in peacekeeping operations and post-conflict peacebuilding in accordance with resolution 1325 (2000), recalling the need to address violence against women and children, and encouraging the United Nations Stabilization Mission in Haiti (MINUSTAH) as well as the Transitional Government of Haiti to actively address these issues,

Underlining that pervasive poverty is an important root cause of unrest in Haiti, and stressing that there can be no genuine stability without strengthening its economy, including through a long-term strategy for sustainable development and the strengthening of Haitian institutions,

Welcoming the approval of a National Programme on Disarmament, Demobilization and Reintegration (DDR) by the Transitional Government of Haiti, the United Nations Development Programme (UNDP) and MINUSTAH, and emphasizing that its implementation is imperative for broader stabilization efforts to succeed,

05-39550 (E) 220605

Recalling that security, political reconciliation, and economic reconstruction efforts remain key to the stability of Haiti,

Noting that the Haitian people must take responsibility for achieving stability, social and economic development and law and order,

Determining that the situation in Haiti continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, as described in Section 1 of operative paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of MINUSTAH, as contained in resolution 1542 (2004), until 15 February 2006, with the intention to renew for further periods;

2. *Welcomes* the Report of the Secretary-General of 19 May 2005 on MINUSTAH (S/2005/313), and supports the recommendations of the Secretary-General as outlined in paragraphs 44-52, as follows:

(a) a temporary increase, during the electoral period and subsequent political transition, of 750 personnel to MINUSTAH's currently authorized military strength in order to create a rapid reaction force in Haiti to provide increased security, in particular in and around Port-au-Prince;

(b) an increase of 50 military personnel in order to create a sector headquarters in Port-au-Prince, with the understanding that MINUSTAH will optimize at all levels the coordination between military and police components to ensure efficient and better-integrated operations, including by posting UN staff civilian police officers in this headquarters;

(c) a temporary increase, during the electoral period and subsequent political transition, of 275 personnel to the current strength of MINUSTAH's civilian police component to provide increased security;

(d) an assessment of the Haitian judiciary and correctional systems including to explore possibilities for greater international community support, and a more active role by MINUSTAH, to be submitted to the Security Council as soon as possible;

3. *Decides* that for a temporary period MINUSTAH will consist of a military component of up to 7,500 troops of all ranks and of up to 1,897 Civilian Police. *Requests* the Secretary-General to devise, in a timely manner, a progressive drawdown strategy of the MINUSTAH force levels for the post-election period, in accordance with the situation on the ground;

4. *Requests* the Secretary-General to share with the Council the overall plan for the successful holding of elections in Haiti, including voter registration, security, logistics, civic education, observation, and detailed budget information; *urges* Haitian authorities to increase and accelerate efforts to prepare for and ensure the smooth conduct of the elections; and *calls upon* international donors to provide the necessary resources to support the electoral process;

5. *Requests* also the Secretary-General to share with the Council the reform plan for the HNP, formulated by MINUSTAH and the Haitian authorities, that includes the anticipated size, standards, implementation timetable, and resources;

6. *Requests* that MINUSTAH concentrate the use of its resources, including civilian police, towards increasing security and protection during the electoral period; including a review, as appropriate, of the rules of engagement of the individual civilian police officers;

7. *Requests* that MINUSTAH and the Haitian authorities take all necessary steps to achieve optimal coordination between MINUSTAH's civilian police and the HNP;

8. *Reaffirms* MINUSTAH's authority to vet and certify new and existing HNP personnel for service, and urges the Transitional Government of Haiti to ensure that HNP personnel do not serve unless certified and to ensure that technical advice and recommendations provided by MINUSTAH are fully implemented by Haitian authorities at all levels without delay;

9. *Calls upon* MINUSTAH to make the Joint Mission Analysis Cell operational as soon as possible in order to pool and better use the information available to the MINUSTAH military, police and civilian components; and *also calls* for the use of MINUSTAH's aviation assets in an efficient and effective manner in support of security operations;

10. *Urges* the Transitional Government to conduct thorough and transparent investigations into cases of human rights violations, particularly those allegedly involving HNP officers; *requests* that in order to support this effort MINUSTAH make the Joint Special Investigation Unit operational as soon as possible;

11. *Welcomes* the launching on 7 April 2005 of the "national dialogue" by the Transitional Government of Haiti, and *stresses* that such a dialogue should serve the long-term aim of national reconciliation and, in the shorter term, the holding of credible and inclusive elections; *urges* the Transitional Government of Haiti to redouble its efforts for this essential process and *invites* all Haitians to participate in this dialogue without delay;

12. *Urges* the Transitional Government of Haiti and MINUSTAH to begin immediately effective implementation of the DDR programme and *calls on* all Member States to provide timely financial, human and technical resources in support of this programme;

13. *Renews* its appeal for the accelerated disbursement of the funds pledged by international financial institutions and donors at the July 2004 International Donors Conference on Haiti; *supports* the Cayenne follow-up donor conference held on 16 and 17 June 2005, in Montreal; and *calls upon* all donors to continue to assist Haiti;

14. *Requests* MINUSTAH to strengthen its capacity to implement quick-impact projects; and *calls for* increased coordination between the various development actors in Haiti in order to ensure greater efficiency in development efforts;

15. *Invites* the Bretton Woods institutions to consider the issue of debt sustainability and the implications of the Highly Indebted Poor Countries (HIPC) initiative for Haiti;

16. *Urges* MINUSTAH to urgently develop and implement a proactive communications and public relations strategy, in order to improve the Haitian population's understanding of the mandate of MINUSTAH and its role in Haiti;

17. *Welcomes* efforts undertaken by MINUSTAH to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse, and to ensure full compliance of its personnel with the United Nations code of conduct, *requests* the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and *urges* troop-contributing countries to take appropriate preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

18. *Requests* the Secretary-General to report to the Council on the effectiveness of the implementation of MINUSTAH's mandate at least once every three months; *requests* further that the Secretariat keeps the Council members informed, on a regular basis, on the status of electoral preparations, including party and voter registration figures and other relevant data;

19. *Decides* to remain seized of the matter.